

IN THE CLAIMS

Please amend the claims to read as follows:

Listing of Claims

1-39. (Canceled) .

40. A method for receiving data in a data retransmission scheme in a mobile communication system comprising a communication terminal and a plurality of base stations, wherein said communication terminal is in communication with said plurality of base stations during a soft handover, the method comprising:

receiving data from the communication terminal by at least one of the base stations,

storing said received data in an associated soft buffer of said at least one of the base stations,

decoding said received data at said at least one of the base stations, and

using the time elapsed since storing said data in the associated soft buffer in order to flush the soft buffer.

41. (New) The method for receiving data according to claim 40, wherein the data is stored in the associated soft buffer in order to be combined with a retransmitted data if the received data is not decoded successfully.

42. (New) The method for receiving data according to claim 40 or 41, further comprising flushing the soft buffer based on the elapsed time.

43. (New) The method according to claim 42, wherein if said received data is decoded successfully, the soft buffer is flushed.

44. (New) The method according to claims 42, wherein the soft buffer is flushed, if the elapsed time is equal to or larger than a threshold time period.

45. (New) The method according to claims 43, wherein the soft buffer is flushed, if the elapsed time is equal to or larger than a threshold time period.

46. (New) The method according to claim 44, wherein the threshold time period is defined as a period after which a

retransmission data can no longer be expected in the base station.

47. (New) The method according to claim 40, further comprising:

receiving a retransmission data from the communication terminal by at least one of the base stations,

storing said received retransmission data in an associated soft buffer,

decoding said received retransmission data, and

if the received retransmission data is not decoded successfully, restarting the elapsed time.

48. (New) The method according to claim 40, further comprising:

receiving a retransmission data from the communication terminal by at least of the base stations,

storing said received retransmission data in an associated soft buffer,

decoding said received retransmission data, and

if said received retransmission data is decoded successfully, stopping the elapsed time.

49. (New) The method according to claim 40, further comprising:

combining a retransmission data with the previously received data to produce a combined data, and
decoding the combined data.

50. (New) The method according to claim 40, further comprising if the elapsed time is equal to or larger than a threshold time period, stopping the elapsed time.

51. (New) The method according to claims 44, wherein said threshold time period is of configurable duration.

52. (New) The method according to claims 50, wherein said threshold time period is of configurable duration.

53. (New) The method according to claim 51, further comprising signaling the duration of said threshold time period to said at least one of the base stations by radio network control signaling from a control unit in the mobile communication network.

54. (New) The method according to claim 53, wherein the duration of said threshold time period is signaled to said at least one of the base stations in an information element of a NBAP message.

55. (New) The method according to claim 51, further comprising signaling the duration of said threshold time period to said communication terminal by radio resource control signaling from a control unit in the mobile communication network.

56. (New) The method according to claim 55, wherein the duration of said threshold time period is signaled to the communication terminal in an IE of at least one of a radio bearer setup message, a radio bearer reconfiguration message, a radio resource control connection setup message, a transport channel reconfiguration message, a cell update message, and a handover command message.

57. (New) The method according to claim 40, further comprising transmitting a message from at least one of the base stations to the communication terminal indicating whether said at

least one of the base stations decoded said received data successively.

58. (New) The method according to claim 40, further comprising forwarding the received data to a control unit of the mobile communication system by one of said at least one of the base stations that did decode the received data successively.

59. (New) The method according to claim 40, further comprising receiving a capacity request message from said communication terminal by at least one of the base stations requesting additional transmission capacity for a retransmission data.

60. (New) The method according to claim 59, wherein said capacity request message comprises at least one of a transmission priority of data to be transmitted by said communication terminal, a size of data in a transmission buffer of said communication terminal, a duration of said elapsed time, an identification of data, or a channel for which capacity is requested.

61. (New) The method according to claim 59 or 60, further comprising transmitting a capacity grant message from said at least one of the base stations to said communication terminal, wherein the capacity grant message indicates a transmission capacity assigned to said communication terminal for data transmission.

62. (New) The method according to claim 40, wherein the data is received via a dedicated channel.

63. (New) The method according to claim 40, further comprising receiving a restart request message from said communication terminal by at least one of the base stations, wherein said restart request message indicates data for which the elapsed time has to be restarted.

64. (New) The method according to claim 63, wherein said restart request message comprises control information and no payload data or dummy payload data.

65. (New) The method according to claim 44, wherein said data retransmission scheme is a window-based data retransmission

scheme, and the method further comprises calculating said threshold time period based on the time required for the transmission of all data within a window of the data retransmission scheme.

66. (New) The method according to claim 50, wherein said data retransmission scheme is a window-based data retransmission scheme, and the method further comprises calculating said threshold time period based on the time required for the transmission of all data within a window of the data retransmission scheme.

67. (New) The method according to claim 44, further comprising calculating said threshold time period based on the time interval between the reception of an initial data and the reception of a retransmission data.

68. (New) The method according to claim 50, further comprising calculating said threshold time period based on the time interval between the reception of an initial data and the reception of a retransmission data.

69. (New) The method according to claim 44, further comprising calculating the duration of said threshold time period based on the size of said soft buffer, a maximum number of retransmissions in the data retransmission scheme, a communication terminal's processing time for a feedback message, a respective base station's processing time for a received data and a transmission time interval.

70. (New) The method according to claim 50, further comprising calculating the duration of said threshold time period based on the size of said soft buffer, a maximum number of retransmissions in the data retransmission scheme, a communication terminal's processing time for a feedback message, a respective base station's processing time for a received data and a transmission time interval.

71. (New) A base station in a mobile communication system comprising a communication terminal and a plurality of base stations, wherein said base station comprises means for implementing the method according to claim 40.

72. (New) A base station for receiving data in a data retransmission scheme in a mobile communication system comprising a communication terminal and a plurality of base stations, wherein said communication terminal is in communication with said plurality of base stations during a soft handover, the base station comprising:

a receiving section that receives data from the communication terminal,

a soft buffer that stores said received data, and

a decoding section that decodes said received data,

wherein the base station is operable to use the time elapsed since storing said data in the associated soft buffer in order to flush the soft buffer.

73. (New) The base station according to claim 59, wherein the base station is operable to store the received data in the associated soft buffer in order to be combined with a retransmitted data if the received data is not decoded successfully.

74. (New) The base station according to claim 59 or 60, wherein the base station is operable to flush the soft buffer if said received data is decoded successfully.

75. (New) The base station according to claim 59, wherein the base station is operable to flush the soft buffer if the elapsed time is equal to or larger than a threshold time period.

76. (New) The base station according to claim 62, wherein the threshold time period is defined as a period after which a retransmission data can no longer be expected in the base station.

77. (New) The base station according to claim 59, wherein the receiving section receives a retransmission data from the communication terminal, the soft buffer stores said received retransmission data, and the decoding section decodes said received retransmission data, wherein if the received retransmission data is not decoded successfully, the base station is operable to restart the elapsed time.

78. (New) The base station according to claim 59, wherein the receiving section receives a retransmission data from the communication terminal, the soft buffer stores said received retransmission data, and the decoding section decodes said received retransmission data, wherein if said received transmission data is decoded successfully, the base station is operable to stop the elapsed time.

79. (New) The base station according to claim 59, wherein the base station is operable to combine a retransmission data with the previously received data to produce a combined data, and the decoding section decodes the combined data.

80. (New) The base station according to claim 59, wherein the base station is operable to stop the elapsed time if the elapsed time is equal to or larger than a threshold time period.